

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO. 15881 OF 2013
IN FA/1921/2012

BANKAT BANDU SHINDE DIED THROUGH L.R.S. BHARAT AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ORS

...
Advocate for Applicants : Mr. V. V. Ingale.
AGP for Respondents : Mr. S. R. Yadav-Lonikar.
...

CORAM : K.K. SONAWANE, J.

DATED : 15TH DECEMBER, 2017.

Order :-

Heard learned counsel for applicants and learned AGP for respondents.

2. Perused application. This is an application for condonation of delay to present cross-objection in First Appeal No. 1921 of 2012.

3. Learned AGP prays for suitable order in the interest of justice.

4. In view of the nature of subject matter and the fact that the First Appeal No. 1921 of 2012 filed on behalf of respondent- State of Maharashtra is already pending before this Court, there is no impediment to allow the applicants - original claimants to pursue the proceedings by filing cross-objection. Hence, in view of reasons mentioned in the application, there is no impediment to condone the delay. Accordingly, application stands allowed in terms of prayer clause 'B'. The delay of 382 days caused for filing Cross-Objection is hereby condoned. The Registry to take requisite steps for further process. The civil application stands disposed of accordingly.

5. On registration of cross-objection, issue notice to respondents.

6. Learned AGP waives service of notice for respondents.
7. After compliance of procedural formalities, list the cross-objection with First Appeal No. 1921 of 2012 for final hearing on merit in due course.

[K. K. SONAWANE]
JUDGE

rrd.